

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3300-01
Bill No.: HB 1276
Subject: Motor Vehicles; Crimes and Punishments; Telecommunications
Type: Original
Date: April 19, 2010

Bill Summary: This proposal prohibits text messaging while driving, regardless of age.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Social Services, Department of Public Safety - Office of the Director** and the **Missouri State Highway Patrol, and the Office of the State Public Defender** assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Missouri Office of Prosecution Services** assume this proposed legislation will have no measurable fiscal impact on the Missouri Office of Prosecution Services or County Prosecutors.

Officials from the **Department of Elementary and Secondary Education** assume there is no anticipated state cost to the foundation formula associated with this proposal. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to school districts increases the deduction in the foundation formula the following year. The affected districts would see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

Oversight assumes this infraction would not produce a significant amount of income and for fiscal note purposes only, will show no fiscal impact.

Officials from the **Department of Revenue (DOR)** assume this proposed legislation removes the 21 and under age limitation which will result in an unknown increase in the number of convictions for driving while texting.

There are no statistics available to determine how many additional convictions DOR may be required to process; however, one FTE can process 320 convictions per day. DOR assumes that a minimum of 1 FTE will be needed to process the additional convictions resulting from this violation. If the volume of convictions received for processing exceeds 320 per day, then additional FTE will be required and will be requested through the appropriation process.

ASSUMPTION (continued)

There are no statistics available to determine the volume of phone calls that may be received; however, currently a Telephone Information Operator is required to handle 100 calls per day. DOR assumes that a minimum of 1 FTE will be needed to answer the additional phone calls. If the calls received for texting while driving exceeds 100 calls per day, then additional FTE will be required and will be requested through the appropriation process.

DOR will be unable to determine how many convictions will be received for texting while driving and therefore are unable to determine the forms and postage costs for issuing the suspension/revocation notices.

Oversight received information from the Missouri State Highway Patrol (MHP) that, as of January 12, 2010, the MHP had written 14 tickets for drivers twenty-one years of age or younger text messaging while driving since the statute went into effect on August 28, 2009.

Oversight also received information that, as of January 14, 2010, the Department of Revenue (DOR) processed eight convictions for drivers twenty-one years of age or younger text messaging while driving since the statute went into effect on August 28, 2009.

Oversight assumes, based on the information received from the Missouri State Highway Patrol and the Department of Revenue (DOR), that the number of convictions resulting from prohibiting all drivers, regardless of age, from text messaging while operating motor vehicles would not be excessive. Oversight assumes DOR could absorb any increase in work load resulting from the proposal within existing resources. If the DOR experiences an increase that would require additional funding, the DOR could request the funding through the appropriation process.

Oversight assumes any revenue impact would be minimal, and reflects no change to Total State Revenue as a result of the proposal.

Officials from the **Jefferson City Police Department** and the **Boone County Police Department** indicate there will be minimal or no physical impact on their respective departments.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

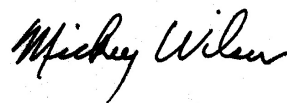
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education
Department of Social Services
Office of State Courts Administrator
Department of Transportation
Department of Revenue
Department of Public Safety
 Office of the Director
 Missouri State Highway Patrol
Office of Prosecution Services
Office of the State Public Defender
Local Law Enforcement
 Jefferson City Police Department
 Boone County Sheriff's Department



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